

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

RAMON ARAGON, *et al.*,

Defendants.

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69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM
Canjilon Creek, Section 3

Subfile No.: CHCJ-004-0038

CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico and the Defendant(s):

UNITED STATES OF AMERICA

Concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Canjilon Creek, Section 3, for the Canjilon Ranger Station in Canjilon, New Mexico, operated by the United States Department of Agriculture (the "Canjilon Ranger Station"), and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.
3. There is no just reason for delay for the entry of a final judgment as to the element of the claims of the Defendant(s) adjudicated by this order.
4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama

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OFFICE OF THE STATE ENGINEER
LEGAL SERVICES DIVISION

Stream System, Canjilon Creek, Section 3, for the Canjilon Ranger Station, are set forth below:

A. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s): 0611

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface Waters of the Canjilon Creek, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch Name: EL LLANO DITCH

Location X: 1,593,223 feet **Y:** 2,003,235 feet

New Mexico State Plane Coordinate System, Central Zone, 1983 N.A.D.

Location and Amount of Irrigated Acreage:

Section 18, Township 26N, Range 05E, N.M.P.M.

Pt. SE ¼	2.0 acres
	<hr/>
	2.0 acres

As shown on the 2000 Hydrographic Survey Map CHCJ-4.

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

5. Defendant(s) have no surface water rights in the Rio Chama Stream System, Canjilon Creek, Section 3, for the Canjilon Ranger Station, other than those set forth in this order and those other orders entered by this Court in this cause.
6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined any use of the surface waters of the Rio Chama Stream System, Canjilon Creek, Section 3, for the Canjilon Ranger Station, except in strict accordance with the water rights described herein.


7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.
8. This order represents the adjudication of Defendant's surface water rights in connection with the Canjilon Ranger Station. All of the Defendant's other claims to water within Section 3 of the Rio Chama System shall be, and are, unaffected by this order.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Canjilon Creek, Section 3, for the Canjilon Ranger Station, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs, and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Canjilon Creek, Section 3, for the Canjilon Ranger Station, except in strict accordance with the rights set forth herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of Defendant's water rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.


UNITED STATES DISTRICT JUDGE

Recommended for Approval


SPECIAL MASTER

ACCEPTED: 
UNITED STATES OF AMERICA

ADDRESS: 999 18th St. #945
DENVER, CO
80202

DATE: 10/3/01

Ed Neville
EDWARD G. NEWVILLE
Special Assistant Attorney General

10.5.01
Date

